

DEBEVOISE & PLIMPTON LLP

NEW YORK

919 Third Avenue
New York, NY 10022
Tel 212 909 6000
www.debevoise.com

Jeffrey S. Jacobson
Partner

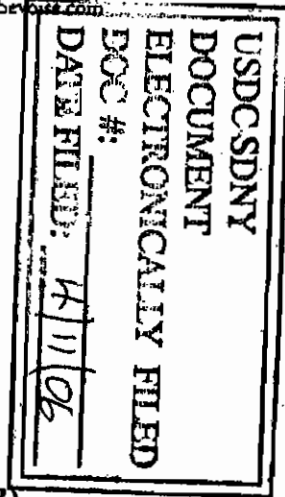
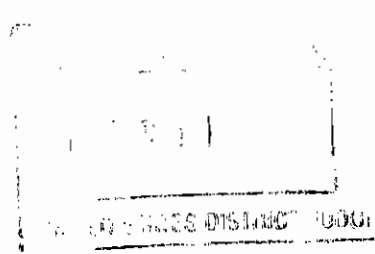
Tel 212 909 6479
Fax 212 521 7479

jsjacobson@debevoise.com

April 11, 2006

BY FACSIMILE

Honorable Naomi Reice Buchwald
United States District Judge
United States District Court
for the Southern District of New York
500 Pearl Street, Room 2270
New York, New York 10007-1312



In re SONY BMG CD Technologies Litigation, Case No. 05 CV 9575 (NRB)

Dear Judge Buchwald:

We represent defendant SONY BMG Music Entertainment in the above-referenced class action litigation. In December, the parties reached a proposed settlement. The Court granted preliminary approval to that settlement on January 6, 2006. The Fairness Hearing, at which the Court will consider final approval of the settlement, is scheduled for May 22.

As the Court's January 6 "Hearing Order" required, the firms that had been designated by the Court as "Class Counsel" — Kamber & Associates LLC and Girard Gibbs and DeBartolomeo LLP — submitted an application on April 6 seeking payment of attorneys' fees and reimbursement of expenses by SONY BMG. That application, which covers the work of Class Counsel, the plaintiffs' Executive Committee and most other plaintiffs' counsel in the matter, was the product of an April 5 agreement between Class Counsel and SONY BMG. Accordingly, SONY BMG will not be opposing Class Counsel's application.

Unfortunately, however, a separate group has filed its own application for fees and expenses. This group is led by the Electronic Frontier Foundation, and refers to itself in its papers as the "EFF Group." (The EFF Group's papers refer to Class Counsel as "Kamber/Girard.") SONY BMG has not consented to pay a fee to the EFF Group and plans to oppose the EFF Group's application.

REMO ENDORSED

Honorable Naomi Reice Buchwald

2

April 11, 2006

The Court's Hearing Order did not specify a particular deadline for opposition briefing to fee requests. The upcoming briefing deadlines specified in the Hearing Order are that objections to the settlement must be received by May 1, and that the parties' final briefing in support of the settlement — including responses to any objectors — is due on May 10.

In light of these other deadlines, we would propose that papers opposing fee applications should be due on May 3 (two days after the objector deadline), and that any reply papers in support of fee applications should be due on May 12 (two days after the briefs on final approval of the settlement are due). Both Class Counsel and the EFF Group have advised us that they consent to this schedule.

If the Court agrees that this schedule is appropriate, we would greatly appreciate the Court's endorsing this letter.

Respectfully submitted,

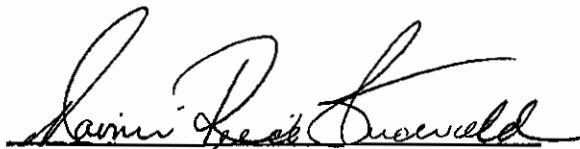


Jeffrey S. Jacobson

cc: All counsel (by electronic mail)

Briefs opposing plaintiffs' counsel's fee applications in this matter are due on May 3, 2006. Reply briefs in support of plaintiffs' counsel's fee applications are due on May 12, 2006.

SO ORDERED



United States District Judge

4/11/06

RECEIVED
APR 11 2006
U.S. DISTRICT COURT
N.D. CALIF.